

United States District Court  
Southern District of Texas  
FILED

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

JUL 18 2013

McALLEN DIVISION

UNITED STATES OF AMERICA  
V.Guadalupe Salinas  
A206 145 574PRINCIPAL  
YOB: 1983

United States

David J. Bradley, Clerk  
CRIMINAL COMPLAINTCase Number:  
**M-13-1311-M**

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 18, 2013 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

**knowing or in reckless disregard of the fact that Ricardo Casiano-Jacobo and Fausta Lopez-Pillado, citizens and nationals of the United Mexican States, for a total of two (2), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from Rio Grande City, Texas, to the point of arrest near Sullivan City, Texas,**

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**  
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 18, 2013, at approximately 11:00 AM, the Department of Public Safety requested assistance on a vehicle stop to determine alienage on several subjects. Border Patrol Agents (BPA) Carlos Villarreal and Julio C. Ibarra arrived at the vehicle stop, which was near Highway 83 and El Faro Road in Sullivan City, Texas and made contact with Trooper Herman Hernandez. Trooper Hernandez advised that he conducted a vehicle stop on a Black, 2005 Chevrolet Malibu because of the vehicle's dark tinted windows.

## SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Approved:

*Robert Wells AUSA*  
7/19/2013 Yes  No*Frediberto Hernandez*  
Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

McAllen, Texas  
City and StatePeter E. Ormsby U. S. Magistrate Judge  
Name and Title of Judicial Officer*Peter E. Ormsby*  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-13-1311-M**

**RE: Guadalupe Salinas**

**A206 145 574**

**CONTINUATION:**

Trooper Hernandez interviewed the driver and the passengers and asked for identification. The driver provided a Texas Identification Card and identified himself as Guadalupe SALINAS. The passengers, later identified as Fausta LOPEZ-Pillado, had no identification, and Ricardo CASIANO-Jacobo provided identification from Mexico. Trooper Hernandez issued a traffic citation to the driver, Guadalupe SALINAS, for Suspended Driver's License, and suspecting that the passengers were illegally in the country, requested assistance from Border Patrol.

BPA Villarreal, approached the subjects in the vehicle and questioned them as to their citizenship and immigration status. The two passengers admitted to being from Mexico and illegally in the United States. The driver, identified as Guadalupe SALINAS, was a United States Citizen. All three subjects were placed under arrest and transported to the Rio Grande City Border Patrol Station for processing.

**PRINCIPAL STATEMENT:**

Once at the Rio Grande City Border Patrol Station, the driver Guadalupe SALINAS, was advised of his Miranda Rights, in the English language, by BPA Mauricio Benavides and witnessed by BPA Carlos Villarreal. SALINAS stated that he understood his rights and agreed to answer questions and make a statement without a lawyer present.

SALINAS began to answer, but after several basic questions, requested a lawyer present.

During processing, records checks revealed that SALINAS was arrested by Border Patrol on June 23, 2013 driving a vehicle that had four (4) illegal alien passengers in it. Prosecution was not sought at that time. Records also revealed that SALINAS was arrested on June 5, 2013 by the La Grulla Police and charged with Smuggling of Persons. The final disposition was not available on computerized records.

**MATERIAL WITNESS STATEMENT:**

1 - Once at the Rio Grande City Station, Ricardo CASIANO-Jacobo was advised of his Miranda Rights, in the Spanish language, by BPA Mauricio Benavides and witnessed by BPA Carlos Villarreal. CASIANO-Jacobo indicated he understood his rights and agreed to answer questions and make a statement without a lawyer present.

CASIANO-Jacobo stated he made smuggling arrangements in Camargo, Tamaulipas, Mexico with a smuggler called "El Venado". He claims he paid \$1,200 to be illegally smuggled across the river, into the United States, and was going to pay an additional \$2,300 when he got to Houston, Texas. He stated that on July 18, 2013 he made an illegal entry by raft across the Rio Grande River with five other subjects and one foot guide and that the foot guide was giving them instructions and told them to continue running towards some houses and that a vehicle was going to pick them up. He stated that he received a telephone call from "El Venado" advising them that the vehicle was waiting outside.

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**CONTINUATION:**

CASIANO-Jacobo claims a red headed, white skin individual wearing a purple shirt was driving the vehicle and that the driver told them to be calm and not to make any suspicious movements while in the vehicle. CASIANO-Jacobo stated that he sat in the front passenger seat and that they drove for approximately twenty five minutes before being pulled over by the police.

CASIANO-Jacobo was able to positively identify Guadalupe SALINAS, in a photo lineup, as the male driver.

2 - Once at the Rio Grande City Station, Fausta LOPEZ-Pillado was advised of her Miranda Rights, in the Spanish language, by BPA Mauricio Benavides and witnessed by BPA Carlos Villarreal. LOPEZ-Pillado indicated she understood her rights and agreed to answer questions and make a statement without a lawyer present.

LOPEZ-Pillado stated that her husband Ricardo CASIANO-Jacobo made arrangements, back in Mexico, to be smuggled into the United States. She stated that she was not aware of how much money was to be paid and that on July 18, 2013 she made an illegal entry by raft across the Rio Grande River with five other subjects and one foot guide. LOPEZ-Pillado stated that the foot guide told them to continue walking on the road and that a car was going to pick them up. She stated that after a short while, a black car arrived at their location and the driver told them to get in the vehicle and to relax and to calm down. She stated that she sat in the back seat of the car behind the front seat passenger and that they drove for approximately twenty minutes before being pulled over by the police.

LOPEZ-Pillado was able to positively identify Guadalupe SALINAS, in a photo lineup, as the male driver of the car they were in when they got arrested.